

RICHARD N. POWELL,  
  
Plaintiff,  
  
v.  
  
JO ANNE B. BARNHART,  
Commissioner of Social Security,  
  
Defendant.

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Case No. 4:05cv00031  
  
**ORDER**  
  
By: **Jackson L. Kiser**  
Senior United States District Judge

1. The *Report and Recommendation* of the United States Magistrate Judge, filed November 15, 2005, shall be, and hereby is, **ADOPTED** in its entirety.

2. For the reasons stated in Magistrate Judge Crigler's *Report*, the Commissioner's final decision is **AFFIRMED**, judgment for the Defendant is **GRANTED**, and the case shall be **DISMISSED** from the docket of this Court.

3. The clerk is directed to strike this case from the active docket of this Court and to send certified copies of this *Order* to all counsel of record and to Magistrate Judge Crigler.

ENTERED this 9<sup>th</sup> day of December, 2005.

s/Jackson L. Kiser

Senior United States District Judge